

## **REMARKS**

### **INTRODUCTION**

In accordance with the foregoing, claims 1 and 9 have been amended and claims 17, 18, and 19 have been added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-19 are pending and under consideration. Reconsideration is respectfully requested.

### **ALLOWABLE SUBJECT MATTER**

In the Office Action at pages 12-13, the Examiner has indicated that claims 3, 4, and 12 are objected to but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 17, 18, and 19 present this allowable subject matter. New claim 17 contains the limitations of base claim 1 (prior to the Amendment filed October 4, 2004) and claim 3. New claim 18 depends from new claim 17, and contains the indicated allowable subject matter of claim 4. New claim 19 contains the limitations of independent claim 9 (prior to the Amendment filed October 4, 2004), dependent claim 11, and dependent claim 12. As these claims have been rewritten in independent form including all of the limitations of their respective base claims and any intervening claims, Applicant respectfully submits that these claims are in condition for allowance.

### **REJECTION UNDER 35 U.S.C. §102**

In the Office Action at pages 2-4, numbered items 5-9, claims 1, 2, 6 and 7 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,395,758 to Helenius, et al. (4,395,758). This rejection is traversed and reconsideration is requested.

Claim 1, as amended, is directed to distributed processing on a process-by process basis and recites that "each process is comprised of a series of instructions, the first processor and the second processor being configured such that a series of instructions executed by the first processor is separate from and independent of a series of instructions executed by the second processor." Support for this amendment can be found in the originally filed Specification at least at page 20, line 15, to page 23, line 14, and Figures 9-10. As an advantage, in a non-limiting example, processes are distributed to the first and second procesors on a process-by-process basis. Processes stored in a process queue are allocated by a dispatcher. The dispatcher monitors the process queue and distributes the processes between the first and second processors on a process-by-process basis.

Applicant respectfully submits that Helenius, et al., in contrast to the present invention, teaches distributed processing on an instruction-by instruction basis. Thus, a central processor executes a series of instructions, and a special processor executes an instruction only if the instruction is one of a predetermined set of instructions that is to be executed by the special processor. Regarding the instructions that can also be processed by a special processor, Helenius, et al. teaches that "[t]he central processor decodes each instruction it retrieves from memory and retrieves operands in response to operand specifiers in the instructions." Col. 2, lines 35-37. Further, "[w]hen all the operands have been retrieved and the instruction contains an operation codes that corresponds to one of a predetermined set of special instructions, the special processor inhibits processing by the central processor and performs the operation." Col. 2, lines 39-43. Additionally, Helenius, et al. teaches that "the special processor transfers the results back to the central processor...." Col. 2, lines 43-45. Accordingly, Applicant respectfully submits that Helenius, et al. fails to teach distributed processing on a process-by-process basis, where the first processor and second processor are configured such that the series of instructions executed by the first processor is separate and distinct from the series of instructions executed by the second processor. Instead, Helenius, et al. teaches distributed processing on an instruction-by-instruction basis, where the instructions executed by the first and second processors are not independent.

Thus, Applicant respectfully submits that independent claim 1 patentably distinguishes over Helenius, et al. for at least the reasons set forth above. As dependent claims 2, 6, and 7 depend directly from independent claim 1, Applicant also respectfully submits that these claims patentably distinguish over Helenius, et al. for at least the same reasons as claim 1. Accordingly, Applicant respectfully submits that claims 1, 2, 6, and 7 are in condition for allowance.

#### **REJECTION UNDER 35 U.S.C. §103**

In the Office Action, at pages 4-11, numbered items 10-20, claims 5, 8-11 and 13-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Helenius, et al. in view of *Computer Organization and Design – The Hardware/Software Interface* by Hennessy and Patterson. The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Dependent claims 5 and 8 depend directly from independent claim 1. Accordingly, Applicant respectfully submits that claims 5 and 8 patentably distinguish over Helenius, et al. for at least the same reasons as independent claim 1. Thus, Applicant respectfully submits that claims 5 and 8 are also in condition for allowance.

Independent claim 9 has been amended in a manner similar to independent claim 1, and thus recites that "each process is comprised of a series of instructions, the first processor and the second processor being configured such that a series of instructions executed by the first processor is separate from and independent of a series of instructions executed by the second processor." Thus, Applicant respectfully submits that independent claim 9 patentably distinguishes over Helenius, et al. for at least the same reasons as independent claim 1. As dependent claims 10-11 and 13-16 depend directly from independent claim 9, Applicant respectfully submits that these claims also distinguish over at least Helenius, et al. for at least the reasons set forth above. Accordingly, Applicant respectfully submits that claims 9-11 and 13-16 are also in condition for allowance.

## CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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